



M E M O R A N D U M

To: Janeen Dittrick, Cluster Manager

Date: June 30, 2009

File No.: 74:FM:02

From: Ernesto Magaña  
Employment Development Department

Subject: **MONITOR ADVOCATE OFFICE ON-SITE ANNUAL REVIEW  
PROGRAM YEAR 2008-2009  
GILROY WORKFORCE SERVICE OFFICE  
FINAL MONITORING REPORT**

This Final Monitoring Report summarizes the California Monitor Advocate Office's (MAO) results of the Migrant and Seasonal Farmworker (MSFW) on-site annual review of the Gilroy Workforce Service (WS) office. Mr. Francisco Macias, Associate Monitor Advocate, conducted this annual review from March 9, 2009 through March 10, 2009. We focused our annual on-site review on the full range of employment services, benefits, and protections, including the full range of job and training referral services, counseling, and testing provided to MSFWs.

The MAO conducted this annual on-site review under the authority of all related Federal Regulation, including Title 20 of the Code of Federal Regulation (CFR), Chapter V, Parts 651, 653, and 658, applicable State laws, and Employment Development Department (EDD) Job Service (JS) policies and procedures. Specifically, Title 20 CFR, Part 653.108, requires the MAO to perform ongoing reviews of EDD services provided to MSFWs.

We collected information for this report by examining the Gilroy WS office's provision of services, job information sharing, job application taking process, outreach program operation, data collection, agricultural clearance order activity, and JS complaint system. Additionally, we interviewed Gilroy WS office's management and staff.

Typically, after the completion of the annual on-site review, the MAO issues a Draft Report to provide the local WS office with an opportunity to formally respond to the MAO's findings and observations. Because the Gilroy WS office provided specific responses to address the MAO's observations and findings at the exit conference, Gilroy WS office manager requested that the MAO issue this report as the Final Report.

Our annual monitoring review revealed the following findings:

**Finding 1:** MSFW Outreach Activity Budget Under Spent

**Observation:** During the pre-site review analysis, we noted that the Gilroy WS office has used approximately 90 hours in MSFW outreach activities between the months of July 2008 and February 2009. The local Hollister WS office manager confirmed that 1,292 hours were allocated for outreach activity for PY 2008-09 between the Gilroy and Hollister WS offices with the Gilroy WS office assigned 323 hours.

**Citation:** 20 CFR 653.107 and Agricultural Services Plan PY 2008-09

**Response:** During the on-site review, the local Gilroy WS office manager mentioned that the Hollister WS office is in charge of ensuring that outreach activities is taking place in both the Gilroy and Hollister areas. During the exit conference, local Hollister WS office manager stated that MSFW outreach activities in Gilroy are under spent because of staffing shortages and JS Program's inability to backfill vacant positions in the Hollister WS office. Due to the shortage of staff in the Hollister WS office, the Hollister WS office manager committed to provide MSFW outreach activity to the Gilroy WS office for a total of eight hours per week.

**Recommendation:** The MAO acknowledges the staffing challenges that local WS offices are experiencing throughout the State. However, we recommend that an effort is made to backfill vacant positions so that the Hollister outreach worker can conduct a vigorous outreach of MSFWs as required by federal regulations.

**Finding 2:** Untimely DE 8151H Monthly Outreach Reports

**Observation:** During the pre-site review analysis, we noted that the Gilroy WS office submitted a total of eight DE 8151H Monthly Outreach reports from July 2008 through February 2009 to

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**Observation (Cont.):** the MAO. Four Monthly Outreach reports were submitted untimely. One Monthly Outreach report was submitted as a negative report.

**Citation:** 20 CFR 653.107 (n) and Outreach Manual Chapter 08-00-00

**Response:** During the exit conference, local Hollister WS office manager acknowledge that the Monthly Outreach reports were submitted untimely and stated that a shared folder will be created to ensure that all Monthly Outreach reports will be gathered, reviewed, and sent personally by management to the MAO.

**Recommendation:** The MAO recommends that the Gilroy WS office make every effort to submit the DE 8151H Monthly Outreach reports to the MAO by the fifth working day of the following month by email or mail as required by the MSFW Outreach Manual and Federal Regulation.

Please extend our appreciation to your staff for their cooperation and assistance during our review. If you have any questions, please contact Mr. Francisco Macias at (916) 651-9463

Sincerely,

  
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Monitor Advocate Office

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